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Sean Hoard

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**Sean Hoard,**

Plaintiff,

vs.

**Snake River Correctional Institution**  
*et. al*

Defendants.

Case No.: 2:13-cv-02161-BR

DECLARATION OF VIKTORIA  
SAFARIAN IN SUPPORT OF  
PETITION FOR APPOINTMENT OF  
GUARDIAN AD LITEM

I, Viktoria Safarian, declare as follows pursuant to 28 USC § 1746:

1. I am the lawyer for plaintiff in the above-captioned matter. I have personal knowledge of the information contained in this declaration. If called upon to do so, I could and would competently testify regarding the matters set forth herein.
2. I accepted the contingency-fee representation of plaintiff on October 10, 2019 for a Motion to Set Aside the Judgment and a retrial of this case following Ninth Circuit remand.

3. When I first started work on this case, I felt that Mr. Hoard was competent to represent his interests, he had the capacity to understand the nature and consequences of the litigation and was able to assist counsel in the preparation of this case. Unfortunately, circumstances have changed, and it is now my opinion that the appointment of guardian *ad litem* is necessary.
4. Since agreeing to represent Mr. Hoard, I have met with him in person and I have spoken with him on the phone on multiple occasions.
5. As stated in ECF 165 Motion to Set Aside the Judgment, Mr. Hoard suffers from mental illness.
6. I am familiar with RPC 1.14 concerning the representation of clients with diminished capacity.
7. Based upon my general experience and knowledge about representing clients with diminished capacity and my specific experience and knowledge of Mr. Hoard, it is my opinion that Mr. Hoard is not presently competent to represent his legal interests in this matter as a result of symptoms of serious mental illness, and therefore, under FRCP 17 (c), a guardian *ad litem* should be appointed by this Court.
8. I have spoken to Mr. Hoard's mother Suezet Hoard, and she agrees that Mr. Hoard is not presently competent to represent his legal interests. Suezet Hoard has agreed to be the guardian *ad litem*. I believe that she will be able to represent Mr. Hoard's interests in this action based on her relationship with Mr. Hoard as his mother and her knowledge of his circumstances.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 3, 2020.

/s/ Viktoria Safarian  
Viktoria Safarian  
Attorney for Plaintiff